

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

CLARENCE BUCHANNON, #123 891

*

Petitioner,

*

v.

*

3:06-CV-117-MHT

STATE OF ALABAMA

*

Respondent.

*

ORDER

Pending before the court is Petitioner's application for habeas corpus relief. Petitioner has not submitted the \$5.00 filing fee nor has he filed motion for leave to proceed *in forma pauperis*. Petitioner, therefore, shall be granted additional time to either provide the court with the \$5.00 filing fee or with the information necessary for a determination of whether he should be allowed to proceed *in forma pauperis* in this cause of action.

Accordingly, it is ORDERED that:

1. Within fifteen (15) days of the filing date of this order Petitioner either submit the \$5.00 filing fee or file the appropriate affidavit in support of a motion for leave to proceed *in forma pauperis*. Petitioner is cautioned that his failure to comply with this Order will result in a recommendation by the undersigned that this case be dismissed; and

2. The Clerk SEND to Petitioner a form for use in filing a motion to proceed *in forma pauperis*.

DONE, this 10th day of February, 2006.

/s/ Susan Russ Walker

SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE